02-07-05



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PATENT

Attorney Docket No. 0313-0003.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Aaron V. Kaplan, et al.

Serial No.: 10/007,364

Filed: November 5, 2001

Group Art No.: 3731

Examiner: Julian W. Woo

For: METHODS AND APPARATUS FOR

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NAME Jason Smalley

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INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document listed on the attached form, which the document may be material to the examination of this application. A copy of this document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention. Also, the citation of the above-discussed document is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of the document herein is not to be construed as an admission that any subject matter disclosed in the documents

is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the document discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being mailed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. The cited information was first called to Applicant's attention in an Office Action dated January 25, 2005 in related Application Number 10/105,984 filed on March 25, 2002. Accordingly, pursuant to 37 C.F.R. § 1.97(e)(2), it is hereby stated: no item of this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best knowledge of the person signing this certification after making a reasonable inquiry, no item of information contained this information disclosure statement was in known to individual designated in 37 C.F.R. § 1.56(c) more than three months prior to filing of this information disclosure statement. Consequently, as provided in 37 C.F.R. § 1.97(c), a fee under

\$1.17(p) is <u>not</u> required for the filing of this information disclosure. However, if it is determined that an additional fee is required, then authorization is hereby granted to charge Deposit Account 50-1039 any additional fee required.

(A duplicate of this document is enclosed herewith.)

Date: February 4, 2005

Respectfully submitted,

By: / lang W. Mctacken

Gary W. McFarron, Esq. Registration No. 27,357

Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. 200 West Adams St., Suite 2850 Chicago, IL 60606 Telephone: (312) 236-8500

Attorneys for Applicant

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Application Number	10/007,364
Filing Date	November 5, 2001
First Named Inventor	Aaron V. Kaplan
Group Art Unit	3731
Examiner Name	Julian W. Woo
Attorney Docket Number	0313-0003.01

February 4, 2005

Date | February 4, 2005

	ENCLOSURES (check	all that apply)			
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request X Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Assignment Papers (for an Application) Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks By U.S. Postal Ser Label No. EV 4594	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Second Status Letter X Other Enclosure(s) (please identify below): - 1 Patent Publication - Certificate of Mailing - Return Receipt Poscard - PTO/SB/08A (1 sheet)			
Firm or Individual name Signature Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary, W. McFarron, Esq. (Reg. No. 27,357) Signature Date February 4, 2005					
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Jason Smalley



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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known			
Application Number	10/007,364		
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First Named Inventor	Aaron V. Kaplan		
Art Unit	3731		
Examiner Name	Julian W. Woo		
Attorney Docket Number	0313-0003.01		

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US- 5,725,521	03-10-1998	Mueller	
	 	US-			
	<u> </u>	US-			
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FOREIGN PATENT DOCUMENTS						
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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